

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

FRANCES M. ALANO,

Plaintiff,

5:12-CV-1833
(GTS/DEP)

v.

KATHLEEN SEBELIUS, Secretary of HHS;
ERIC H. HOLDER, Attorney General; and
RICHARD HARTUNIAN, U.S. Attorney,

Defendants.

APPEARANCES:

FRANCES M. ALANO
c/o Joan Marie Alano, POA
39 Burt Avenue
Auburn, New York 13021

GLENN T. SUDDABY, United States District Judge

DECISION and ORDER

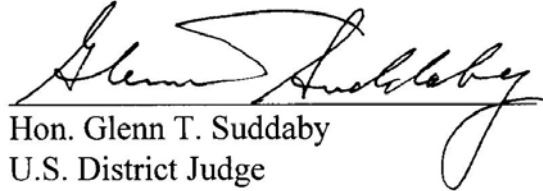
Currently before the Court, in the above-captioned civil action filed by France M. Alano (“Plaintiff”), is United States Magistrate Judge David E. Peebles’ Report-Recommendation recommending this action be dismissed for failure to retain counsel pursuant to 28 U.S.C. § 1654. (Dkt. No. 12.) Plaintiff has not filed an objection to the Report-Recommendation, and the deadline in which to do so has expired. (*See generally* Docket Sheet.) As a result, the Court need subjects the Report-Recommendation to only a clear-error review. Fed. R. Civ. P. 72(b), Advisory Committee Notes: 1983 Addition. Based upon a careful review of this matter, the Court can find no clear error in the Report-Recommendation. (Dkt. No. 12.) As a result, the Report-Recommendation is accepted and adopted in its entirety for the reasons stated therein.

ACCORDINGLY, it is

ORDERED that Magistrate Judge Peebles' Report-Recommendation (Dkt. No. 12) is
ACCEPTED and **ADOPTED** in its entirety; and it is further

ORDERED that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED** without prejudice.

Dated: September 9, 2013
Syracuse, New York



Hon. Glenn T. Suddaby
U.S. District Judge